

BILL NO. S-74-10- 12

SPECIAL ORDINANCE NO. S- 169-74

AN ORDINANCE authorizing the execution of a deed to Levin & Sons, Inc. for certain real estate owned by the City of Fort Wayne

WHEREAS, the City of Fort Wayne, Indiana, is the owner of certain real estate in Allen County, Indiana, described as follows:

Part of the South half of Section 5, Township 30 North, Range 13 East, Allen County, Indiana, more particularly described as follows, to-wit:

Commencing at the intersection of the North line of the New York, Chicago, & St. Louis Railroad, with the section line between Sections 5 & 6 in Township 30 North, Range 13 East; thence S 74°-30' E, on and along said North line, 250.0 feet to the true point of beginning; thence continuing S 74°-30' E on and along said North line, 54.92 feet; thence N 39°-00' E, 299.6 feet; thence N 59°-40' W, 323.1 feet to the South line of a 20 foot sewer easement; thence N 80°-31' W on and along said South line 76.76 feet; thence S 16°-01' E (recorded S 16°-03' E), 409.9 feet to the true point of beginning, containing 1.649 acres of land, subject to an easement for a road to cross-over the above described parcel to dump sludge at sludge lagoon, the centerline of said existing road is described as follows:

Beginning at a point on the West line of the above described parcel, said point being situated 20.9 feet S 16°-01' E from the Northwest corner thereof; thence S 82°-36' E, 107.1 feet to the Northerly line of the above described parcel.

Being the same premises conveyed to the Grantor by The Stadler Products Company, by deed dated July 27, 1931 and recorded in Book #331, page #254, in the office of the Recorder of Allen County, Indiana.

Subject to the Grantors right to an easement to cross over property to dump sludge at sludge lagoons between buildings and river. (road)

Subject to Grantees using property for all lawful means and to abide by all laws and ordinances of the State of Indiana and the City of Fort Wayne and County of Allen

WHEREAS, this Council has determined that it will be in the best interest of the City of Fort Wayne to execute a deed for the sale of the above described parcel of real estate, on terms and conditions required by law and for a sum not less than the appraiser's evaluation thereof.

APPROVED AS TO FORM
AND LEGALITY.


CITY ATTORNEY

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the Mayor of the City of Fort Wayne be, and he hereby is, authorized and directed, in the name of and for and on behalf of the City of Fort Wayne, to execute a deed to Levin & Sons, Inc., for the parcel of real estate herein described, such deed to be in the form of a Warranty Deed and to be subject to the terms and conditions as shall be considered necessary or advisable in the best interests of the City of Fort Wayne. The signature of the Mayor on such instrument shall be attested by the City Clerk of the City of Fort Wayne and shall be accompanied by the seal of said City.

SECTION 2. This Ordinance shall be and constitute sufficient authority for the Mayor and the City Clerk of the City of Fort Wayne to execute such a deed and to do all things incidental thereto or necessary therefor.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage.


Councilman

Read the first time in full and on motion by Moses, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 10/8/74

Charles W. Ulstrom
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed ~~(voice)~~ by the following vote:

	AYES <u>8</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT <u>1</u> to-wit:
BURNS	<u>X</u>	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____
KRAUS	<u>X</u>	_____	_____	_____
MOSES	_____	_____	_____	<u>A</u>
NUCKOLS	<u>X</u>	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____

DATE: 10-22-74

Charles W. Ulstrom
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. D-1169-74 on the 22nd day of Oct, 1974.

ATTEST: (SEAL)
Charles W. Ulstrom
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of October, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Ulstrom
CITY CLERK

Approved and signed by me this 23rd day of October, 1974, at the hour of 3:00 o'clock P. M., E.S.T.

Samuel J. Talarico
MAYOR

Bill No. S-74-10-13

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
authorizing the execution of a deed to Levin & Sons, Inc. for certain real
estate owned by the City of Fort Wayne

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

Winfield C. Moses, Jr - Chairman

John Nuckols - Vice-Chairman

James S. Stier

William T. Hinga

Vivian G. Schmidt

Charles W. Westerman, Jr.
John Nuckols
James S. Stier
William T. Hinga
Vivian G. Schmidt

CONCURRED IN

DATE 10-22-74 CHARLES W. WESTERMAN, CITY CLERK

Admn. Appr. 

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

S-74-10-63,

DEPARTMENT REQUESTING ORDINANCE BOARD OF WORKS

SYNOPSIS OF ORDINANCE Councilmanic approval of sale of the abandoned municipal

incinerator

EFFECT OF PASSAGE City sells unusable property. The blight will be removed

by new owners at their expense

EFFECT OF NON-PASSAGE City will still be burdened with managing this property

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

Board of Work